

ANTHONY HART v HILLSDALE COUNTY, ET AL

**Case No. 16-cv-10253
Honorable Denise Page Hood**

**DEFENDANTS HILLSDALE COUNTY, CHRISTINE WAHTOLA,
KWINN LEVA AND LT. TIMOTHY PARKER'S BRIEF IN SUPPORT OF
THEIR MOTION FOR SUMMARY JUDGMENT**

Exhibit 1 - Report 13-0004174

INCIDENT # - 4174-13 FILE CLASS-50000/ STATUS-CLOSED
CITY/TOWN - 60 -HILLSDALE CITY
LOCATION - 79 BUDLONG, HART
OFFENSE - 5089 FAILURE TO REGISTER (SEX OFFENDER)
MAIN BADGE - 130 -00004
REPORTED - 7/17/13 11:20

OFFENDERS:
HART, ANTHONY CARLOS AR 5089
76 BUDLONG ST HILLSDALE, MI 49242
SEX : M RACE : W
DATE OF BIRTH : 01/19/84 EYES : BLU
HAIR : BRO HEIGHT : 5-10
WEIGHT : 205 DRIVERS LICENSE#: MI/H-630-067-108-052
SOC SEC # : XXX-XX-8462 HOME NUMBER : 517-610-6599
EMPLOYER : UEMPLOYED

REPORTING OFFICER _____ DATE ____/____/____
TYPIST - KML LIEUTENANT TIMOTHY J PARKER
REVIEWED BY _____ DATE ____/____/____

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Hillsdale County Sheriff

Report 13-0004174.

Incident Report

Date 08/18/16

165 WEST FAYETTE

Time 9:49 AM

Phone: (517) 437-7317

Hillsdale, MI 49242

Narrative:

INFORMATION:

On the above date and time I arrested ANTHONY CARLOS HART W/M DOB 01/19/1984 for Failure to Comply with Sex Offender Registry Rules, FELONY.

VENUE:

Hart was arrested at 159 S. West Street, City of Hillsdale, County of Hillsdale and in the State of Michigan.

DATE & TIME:

July 17, 2013 @ 11:45 a.m.

OFFICER ACTIONS:

Dispatcher Leva advised me that ANTHONY HART had recently registered on 07/05/2013 that he was living at 79 Budlong Street Hillsdale, Mi. She noted to me that he stated that he was living in a tree house in the back yard. I went to 79 Budlong and spoke to a woman who was house sitting while the owner was away and she told me that there was no tree house on the property and that no one by the name of Anthony Hart had been staying in the home while she had been there for over one week. She also stated that the homeowner had never mentioned to her that anyone was allowed on the property.

She allowed me to search the rear of the property and an unattached barn. I found no evidence that anyone had been staying on the outside of the property.

Upon checking Mr. Hart's previous listings I discovered 20 Budlong St. I went to 20 Budlong and spoke with the home owner there and she told me that Hart had been told to not come back to her property and that she had last seen him with Natasha Teller on S. West Street.

ARREST:

I went to 159 S. West Street and ANTHONY HART came to the door. I advised him that he was under arrest for Violation of the Sex Offender Registration Act. I told him that I discovered that he was not living at 79 Budlong Street as he had registered on July 5, 2013. HART stated that he was living there sometimes in the back yard. I drove him past 79 Budlong and he admitted that he had the wrong house he then pointed to a house across the street, 76 Budlong. Hart was further advised that he must have a Michigan Driver's License or Identification Card with the address that he lives at on the document. He had no document with either address.

HART was lodged in the HCSD jail with NO BOND.

A warrant request was sent to PAM at the prosecutors Office along with a copy of this report along with his CCH and SOR documents.

STATUS: CLOSED.

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Hillsdale County Sheriff

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Narrative:FOLLOW UP INVESTIGATION:LT PARKERJuly 31, 2013

After the preliminary exam pre-conference with the prosecutor's office, Mr. Hassinger, and Mr. Rod Dunham attorney for Anthony Hart I went to 20 Budlong to speak with the owner of the residence. ANTHONY HART had recently changed his address to 20 Budlong, earlier information from other residents in the home indicated that ANTHONY was not allowed in the house.

I attempted to contact residents with no one answering the door, ANTHONY HART showed up and told me that the owner was inside sleeping. I asked him to get him so I could talk with him. ANTHONY went inside the house and returned a short time later and advised that the owner was inside and sleeping and that he didn't wish to wake him up. I advised him that it would be in his best interest to wake him up. ANTHONY went back in the house and while he was inside, the owner showed up outside the residence as he had been walking a pair of dogs. I discussed whether or not ANTHONY was living at his residence. JEFFREY CHARLES SCHNEIDER the home owner advised me that he would allow ANTHONY to live at the residence and use his address. I advised Mr. Schneider that he moved out or stopped staying there to call our department and we would take action against Mr. HART. Mr. Schneider stated that he would like to give ANTHONY HART a chance.

I then cleared the residence and left the two of them to talk.

STATUS:

CLOSED.